

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DATA CARRIERS, LLC,)
)
Plaintiff,)
)
v.) C.A. No. 12-342 (LPS)
)
NOKIA INC.,)
)
Defendant.)

STIPULATION AND ORDER

The Plaintiff Data Carriers, LLC (“Plaintiff”) and Defendant Nokia Inc. (“Defendant”), pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all of Plaintiff’s claims in this action WITH PREJUDICE and all of Defendant’s claims in this action WITHOUT PREJUDICE, subject to the terms of that certain agreement entitled “SETTLEMENT AND LICENSE AGREEMENT” having an effective date of February 27, 2013, with each party to bear its own costs, expenses and attorneys’ fees.

BAYARD, P.A.

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April 10, 2013

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[PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE

CAME ON THIS DAY for consideration of the Stipulated Motion for Dismissal With Prejudice of all claims by Plaintiff Data Carriers, LLC (“Plaintiff”) and Dismissal Without Prejudice of all claims of Defendant Nokia Inc. (“Defendant”) in this case, and the Court being of the opinion that said motion should be GRANTED, it is hereby

ORDERED, ADJUDGED AND DECREED that all claims asserted in this suit by Plaintiff Data Carriers, LLC against Defendant Nokia Inc. are hereby DISMISSED WITH PREJUDICE, and all claims of Defendant against Plaintiff are hereby DISMISSED WITHOUT PREJUDICE, subject to the terms of that certain agreement entitled “SETTLEMENT AND LICENSE AGREEMENT” having an effective date of February 27, 2013.

It is further ORDERED that all attorneys’ fees, costs, and expenses are to be borne by the party that incurred them.

UNITED STATES DISTRICT JUDGE

Dated: _____ 2013